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C O N F I D E N T I A L SECTION 01 OF 02 DAMASCUS 002976

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SUBJECT: HUMAN RIGHTS ROUND-UP: LABWANI TRIAL CONTINUES;  
JAMMOUS'S CHARGES REDUCED, RELEASE EXPECTED; PM FIRES 17  
ACTIVISTS; ABDULLAH CASE MOVED TO MILITARY COURT

REF: (A) DAMASCUS 2487 (B) DAMASCUS 002263

Classified By: Charge d'Affaires Stephen A. Seche for reasons 1.4(b)/(d)  
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11. (C) LABWANI TRIAL CONTINUES: The trial of political activist Kamal Labwani continued June 19 at the Damascus Criminal Court, with numerous family members and Syrian activists present, as well as Poloff and a Finnish Embassy representative. Labwani, who faces charges of inciting a foreign power to invade Syria (ref A), asked the court to reveal with which country he is being accused of collaborating, to which the judge answered "the United States of America." The judge later quoted the public prosecutor as saying that Labwani's calls for increased economic and political pressure via diplomatic channels was tantamount to calling for an invasion. While citing Labwani's interview with al-Hurra as the basis for the charges, the judge announced he would consider allowing a video of the interview to be shown in the courtroom. The judge also ruled that Labwani could present an oral defense on his own behalf, rather than the traditional written defense by the defense team. Human rights lawyer and defense team member Rezan Zeitunah told Poloff June 20 that the defense lawyers are skeptical that the judge will permit the video to be shown, but that they support Labwani's decision to present his defense personally. The next trial date is scheduled for July 116.

12. (C) JAMMOUS'S CHARGES REDUCED AS HE FACES MISTREATMENT IN PRISON: According to press reports, the charges against Communist Action Party leader Fattah Jammous have officially been reduced from a felony to a misdemeanor by the judge presiding over his case. Jammous, who was arrested May 1, will thus face a maximum sentence of six months in prison rather than the life sentence or even execution posed by the initial charge of encouraging a sectarian civil war (ref B). Post contacts have also reported that Jammous is expected to be released shortly (as per normal criminal court standards for defendants accused of misdemeanors) until his trial. No trial date has been set.

13. (C) The London-based Syrian Observatory for Human Rights has reported that Jammous is being beaten by his fellow inmates without any effort by prison guards or officials to stop the abuse. Both Jammous and his family have lodged unsuccessful complaints in the last two weeks with the Adraa prison administration asking that he be moved to a different cell. Jammous is being held with prisoners facing or convicted of criminal charges, separate from all other civil society activists also being held on criminal charges in

Adraa.

14. (C) PM FIRES 17 DAMASCUS-BEIRUT DECLARATION SIGNATORIES AND SUPPORTERS FROM PUBLIC SECTOR JOBS: According to press reports, Prime Minister Mohammed Naji al-Otri has dismissed 17 signatories and supporters of the Damascus-Beirut Declaration (DBD) from their public sector jobs. The 17 individuals worked for the ministries of education, higher education, health, oil, local administration, electricity, information, and agriculture. Five dismissed individuals, including DBD detainee Suleiman Shummar, signed the DBD itself, while the others signed the Suweida Declaration, a document issued in early June in support of the DBD and its signatories. Otri dismissed the government employees under article 137 of the 2004 Law #50, which allows the government to dismiss employees without citing a reason. According to press accounts, the dismissals took place at the request of a committee that included the ministers of justice and labor.

15. (C) ABDULLAH CASE MOVED TO MILITARY COURT: According to Zeitunah, a Criminal Court investigatory judge ruled June 20 that Syrian Military Court is the correct jurisdiction for the pending cases against father-and-son activists Ali and Mohammed Abdullah. This marks the third time the case has been moved, having been initiated at the Supreme State Security Court (SSSC) in early May and subsequently moved to the criminal court (ref B). Zeitunah noted that the initial charge of insulting a public official (in this case, SSSC judge Faez al-Nouri) is in fact only prosecutable in the military court system as it falls under the Emergency Law. In addition, the Abdullahs face charges of inciting a riot. According to Zeitunah, the investigatory judge indicated that elder Abdullah, a journalist, may also face charges of

DAMASCUS 00002976 002 OF 002

weakening the country's dignity during a time of war based on his writings. Zeitunah noted that this latest decision was probably not a SARG stalling tactic, but instead a further indication of the judicial system's confusion regarding the case.  
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